IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

OP.No. 402 of 1999(W)

PETITIONER:

ABDUL KHADER KUNJU,
PUTHEN VEEDU, MANNARKKODU,
PEZHUMMOODU, VALAVUPATCHA P.O., KOLLAM

BY ADV. SRI.P.GOPALAKRISHNAN NAIR

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE
CHIEF SECRETARY, SECRETARIAT,
THIRUVANATHAPURAM.

2. THE DIVISIONAL FOREST OFFICER,
DIVISIONAL FOREST OFFICE, PUNALUR.

BY GOVERNMENT PLEADER SRI.RENJITH THAMPAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 04/07/2007, ALONG WITH OP NO. 25685 OF 2001, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED FROM THE INDUSTRIES DEPARTMENT to the PETITIONER, DATED 1.4.1985.

EXT.P2- TRUE COPY OF THE NOTICE ISSUED FROM THE FOREST RANGE OFFICER, ANCHAL, DATED 28.11.1998 TO THE PETITIONER.

(TRUE COPY)

P.A TO JUDGE

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ

O.Ps.402/1999 & 25685/2001

Dated this the 4th day of July, 2007

JUDGMENT

Radhakrishnan, J.

Challenge is against the show cause notices issued to the petitioners. Petitioners have received notice from the Forest Range Officer directing them to stop the functioning of the Saw Mills.

2. Counsel for the petitioners submitted Saw Mills are situated more than five kilometers beyond the peritory of the reserved forest. Government Pleader on the other hand submitted that it is within five kilometers of the peritory of the reserved forest.

3. This Court has already disposed of W.A.1593/1999 and connected matters relating to similar issues. These Original Petitions are also disposed of in accordance with the directions contained in the above mentioned judgment.

K.S.RADHAKRISHNAN
Judge

ANTONY DOMINIC
Judge

mrcs